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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY
BY

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re DENDREON CORPORATION CLASS
ACTION LITIGATION

MASTER DOCKET NO. C11-01291JLR

(Consolidated with Nos. C11-1294JLR and
C11-1568JLR)

This Document Relates To:

CLASS ACTION

ALL ACTIONS

[PROPOSED] FINAL JUDGMENT AND
ORDER OF DISMISSAL WITH
PREJUDICE



11-CV-01291-PRAE

[PROPOSED] FINAL JUDGMENT
MASTER DOCKET NO. C11-01291JLR

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1 This matter came before the Court for hearing pursuant to the Order of this Court, dated
 2 April 26, 2013 ("Preliminary Approval Order"), on the application of the Lead Plaintiff for
 3 approval of the Settlement set forth in the Stipulation of Settlement (the "Stipulation"). Full and
 4 adequate notice having been given to the Class as required in the Court's Preliminary Approval
 5 Order, and the Court having considered all papers filed and proceedings held herein and otherwise
 6 being fully informed in the premises and good cause appearing therefor,

7 NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

8 1. This Judgment incorporates by reference the definitions in the Stipulation, and all
 9 capitalized terms used, but not defined herein, shall have the same meanings as in the Stipulation.

10 2. This Court has jurisdiction over the subject matter of the Litigation and over all
 11 parties to the Litigation, including all Members of the Class.

12 3. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, this Court hereby
 13 certifies the Litigation as a class action for settlement purposes only. The Class consists of all
 14 Persons who purchased or otherwise acquired Dendreon common stock between April 29, 2010
 15 and August 3, 2011, inclusive, and who were damaged thereby. Excluded from the Class are
 16 Defendants, the officers and directors of Dendreon at all relevant times, members of their
 17 Immediate Families and their legal representatives, heirs, successors or assigns and any entity in
 18 which Defendants have or had a controlling interest. Also excluded from the Class are those
 19 persons who validly requested exclusion from the Class in accordance with the requirements set
 20 forth in the Preliminary Approval Order, a list of whom is attached hereto as Exhibit 1.

21 4. With respect to the Class, this Court finds, solely for the purposes of settlement,
 22 that:

23 (a) the Members of the Class are so numerous that joinder of all Class Members in
 24 the Litigation is impracticable;

25 (b) there are questions of law and fact common to the Class;

26 (c) the claims by Lead Plaintiff are typical of the claims of the Class;

1 (d) Lead Plaintiff and Lead Counsel have and will fairly and adequately represent
 2 and protect the interests of the Class Members;

3 (e) the questions of law and fact common to the Members of the Class predominate
 4 over any questions affecting only individual members; and

5 (f) a class action is superior to other available methods for the fair and efficient
 6 adjudication of the controversy, considering: (i) the interests of the Class Members in
 7 individually controlling the prosecution of separate actions; (ii) the extent and nature of any
 8 litigation concerning the controversy already commenced by Class Members; and (iii) the
 9 desirability or undesirability of concentrating the litigation of these claims in this particular
 10 forum.

11 5. Pursuant to Federal Rule of Civil Procedure 23, this Court hereby approves the
 12 Settlement set forth in the Stipulation and finds that the Settlement is, in all respects, fair,
 13 reasonable and adequate to Lead Plaintiff and the Class. The Court further finds that the
 14 Settlement set forth in the Stipulation is the result of arm's-length negotiations between
 15 experienced counsel representing the interests of the Settling Parties and is in the best interest of
 16 the Class. The Court further finds that Lead Plaintiff and Defendants have adequately evaluated
 17 and considered their positions. Accordingly, the Settlement embodied in the Stipulation is hereby
 18 finally approved in all respects. The Settling Parties are hereby directed to perform its terms.

19 6. Except as to any individual claim of those Persons who have validly and timely
 20 requested exclusion from the Class (identified in Exhibit 1 hereto), the Litigation is dismissed with
 21 prejudice. The Settling Parties are to bear their own costs, except as otherwise provided in the
 22 Stipulation.

23 7. Pursuant to this Judgment, upon the Effective Date, (a) Lead Plaintiff and Lead
 24 Counsel, on behalf of itself or themselves and its or their heirs, executors, administrators,
 25 successors and assigns, in their respective capacities as such, shall, and (b) each and every Class
 26 Member, on behalf of itself, himself or herself and their respective heirs, executors, administrators,

1 successors and assigns, in their respective capacities as such, shall be deemed to have—and by
 2 operation of this Judgment shall have—fully, finally, and forever released, relinquished,
 3 discharged and dismissed each and every one of the Released Claims (as defined in the
 4 Stipulation) against each and every one of the Released Persons (as defined in the Stipulation),
 5 whether or not such Class Member executes and delivers the Claim Form, and whether or not such
 6 Class Member shares in the Settlement Fund.

7 8. Pursuant to this Judgment, upon the Effective Date, Defendants and Defendants'
 8 counsel, on behalf of itself or themselves and its or their heirs, executors, administrators,
 9 successors and assigns, in their respective capacities as such, shall have fully, finally, and forever
 10 released, relinquished, and discharged each and every one of Defendants' Released Claims against
 11 Lead Plaintiff, each Class Member and Plaintiff's Counsel.

12 9. The distribution of the Notice and the publication of the Summary Notice as
 13 provided for in the Preliminary Approval Order constituted the best notice practicable under the
 14 circumstances, including individual notice to all Class Members who could be identified through
 15 reasonable effort. Said notice provided the best notice practicable under the circumstances of
 16 those proceedings and of the matters set forth therein, including the proposed Settlement set forth
 17 in the Stipulation, to all Persons entitled to such notice, and said notice fully satisfied the
 18 requirements of Federal Rule of Civil Procedure 23, Section 21D(a)(7) of the Securities Exchange
 19 Act of 1934 (as amended by the Private Securities Litigation Reform Act of 1995), 15 U.S.C. §
 20 78u-4(a)(7), due process, and any other applicable law.

21 10. Any plan of allocation submitted by Lead Counsel or any order entered regarding
 22 any attorneys' fee and/or expense application shall in no way disturb or affect this Final Judgment
 23 and Order of Dismissal with Prejudice and shall be considered separate from this Final Judgment
 24 and Order of Dismissal with Prejudice.

25 11. As set forth in the Stipulation, the Settlement compromises claims that are contested
 26 and shall not be deemed an admission by any Settling Party as to the merits of any claim or

1 defense. Neither the Stipulation nor the settlement contained therein, nor any act performed or
 2 document executed pursuant to or in furtherance of the Stipulation or the Settlement: (a) is or may
 3 be deemed to be or may be used as an admission of, or evidence of, the validity or invalidity of any
 4 Released Claim or of any alleged wrongdoing or alleged liability of the Defendants; or (b) is or
 5 may be deemed to be or may be used as an admission of, or evidence of, any alleged fault or
 6 omission of any of the Defendants in any civil, criminal or administrative proceeding in any court,
 7 administrative agency or other tribunal. Any Person may file the Stipulation and/or this Judgment
 8 in any action in order to support a defense or counterclaim based on principles of res judicata,
 9 collateral estoppel, release, good faith settlement, judgment bar or reduction, or any other theory of
 10 claim preclusion or issue preclusion or similar defense or counterclaim.

11 12. Without affecting the finality of this Final Judgment and Order of Dismissal with
 Prejudice in any way, this Court hereby retains continuing jurisdiction over: (a) implementation of
 13 the Settlement and any award or distribution of the Settlement Fund, including interest earned
 14 thereon; (b) disposition of the Settlement Fund, including without limitation consideration of a
 15 plan of allocation; (c) hearing and determining applications for attorneys' fees and expenses in the
 16 Litigation; and (d) all parties hereto for the purpose of construing, enforcing and administering the
 17 Stipulation and the Settlement therein.

18 13. The Court finds that during the course of the Litigation, the Settling Parties and
 19 their respective counsel at all times complied with the requirements of Federal Rule of Civil
 20 Procedure 11.

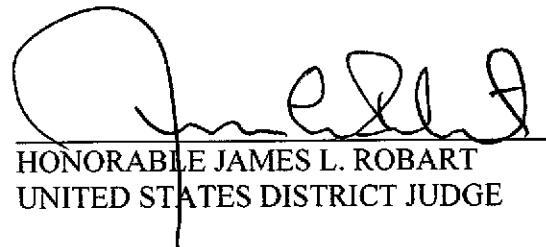
21 14. In the event that the Settlement does not become effective in accordance with the
 22 terms of the Stipulation or the Effective Date does not occur, or in the event that the Settlement
 23 Fund, or any portion thereof, is returned to the Defendants, then this Final Judgment and Order of
 24 Dismissal with Prejudice shall be rendered null and void to the extent provided by and in
 25 accordance with the Stipulation and shall be vacated and, in such event, all orders entered and
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1 releases delivered in connection herewith shall be null and void to the extent provided by and in
2 accordance with the Stipulation.

3 15. There is no just reason for delay in the entry of this Judgment and immediate entry
4 by the Clerk of the Court is expressly directed.

5 IT IS SO ORDERED.

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7 DATED: August 2, 2013


HONORABLE JAMES L. ROBART
UNITED STATES DISTRICT JUDGE

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EXHIBIT 1

Requests for Exclusion

3 1. Gerald A. Sharp
4 2. Rhea J. Rubin & Lawrence Berman
5 3. Stephanie D. Piazza & David J. Piazza
6 4. Marcus E. North & Joanne R. North
7 5. Thomas Ralph Tix
8 6. Frank A. Farano
9 7. Dr. Christoph Bölling
10 8. Jimmy M. Conant
11 9. Barbara & William Detrick, Individually and as Trustees of the Detrick Family Living
12 Trust
13 10. Michael W. Hendry
14 11. Caroline & Kenneth Hoffmann
15 12. Joyce M. Johnson
16 13. Brian K. Johnson
17 14. Kenneth R. Johnson
18 15. Dr. Ruby Kochhar
19 16. Kochhar Cancer Research Foundation
20 17. Lina Chand-Miller & Richard B. Miller, Individually and as Trustees of the Miller Family
21 Trust
22 18. Janet Willey Noone
23 19. Margaret Palmer & Brian Palmer (deceased)
24 20. John R. Piotti, Individually and as Trustee of the John Robert Piotti Revocable Trust
25 21. Kenneth Sawyer
26 22. Mario S. Sette

1 23. Jennifer Tolarba
2 24. Carl M. Nelson
3 25. Nilesh N. Sutaria
4 26. Tova Marie Shergold
5 27. James A. Muchka
6 28. Joseph Gottesman
7 29. Candy & Jim Wong
8 30. Anton George Florian & Sue Anne Corbet Florian
9 31. Charles Clator
10 32. Karen Clator
11 33. Bruce A. DeCourcy
12 34. Monica A. Albano
13 35. Jacqueline Delauro
14 36. John F. Washington
15 37. Salvatore Malatino

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1 Presented by:

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